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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/714,707

11/17/2003

Charles F. Fisler

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(8364-90589)

2341

7590

11/16/2005

Patent Services Group  
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EXAMINER

A, MINH D

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

2

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/714,707	FISLER, CHARLES F.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Minh D A	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/17/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14,23,24,26,30-39 and 49-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☒ Claim(s) 23,24,26,30-36 and 49-57 is/are rejected.
- 7) ☐ Claim(s) 37-39 and 58-60 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 23-26, 30-36 and 49-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Keeney et al (US 2005/0035851).

Regarding claim 23, Keeney discloses plurality of visual output devices (110-150 and 170), each of the devices (110-150 and 170) includes a control element which is one of, mechanically movable or electrically settable, to limit a peak current draw of the respective device', and a switch-able source of electrical energy to power the devices (110-150). See figures 1-9, col.1, lines 65-67 to col.8, lines 1-67.

Regarding claims 24-25, Keeney discloses the output devices (130-150 and 170), each includes a triggerable light emitting output device and the control element alters a light output parameter in accordance with the limited peak current draw. See figures 2-7.

Regarding claim 26, Keeney discloses the light emitting output device comprises a gas filled member. See figure 2.

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Regarding claim 30, Keeney discloses alarm system comprising: a visual output element; a source of energy to illuminate the element; a control, circuit coupled to the source of energy; and a current limiting circuit, coupled to the control circuit, to limit maximum current draw. See figures 1-9, col.1, lines 65-67 to col.8, lines 1-67.

Regarding claim 31, Keeney discloses a circuitry (110) to adjust the current limiting circuit (140) in response to selecting one of a plurality of illumination parameters. See figures 1-2.

Regarding claim 32, Keeney the visual output element (170) comprises a flashable gas filled member, and the current limiting circuit limits(130) a peak charging current associated with the member. See figures 1-2.

Regarding claim 33, Keeney discloses both the current limiting circuit (130) and the control circuit (110) are adjusted together in response to selecting one of a plurality of output illumination parameters. See figures 1-7.

Regarding claim 34, Keeney discloses the circuitry (110) to adjust including at least one of a manually manipulatable element. See figure 1.

Regarding claim 35, Keeney discloses the circuitry to adjust including at least one of a manually manipulatable element. See figure 1.

Regarding claim 36, Keeney discloses the maximum current draw is limited, subsequent to the element being illuminated, to a value associated with a selected illumination parameter. See figures 1-7

Regarding claim 49, Keeney discloses that, the manually manipulatable element, is one of linearly movable. See figures 1-7.

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Regarding claim 50, Keeney discloses a manually manipulatable element is coupled to the current limiting circuit to limit current draw in accordance therewith. See figures 1-7.

Regarding claim 51, Keeney discloses the source of energy comprises a capacitor. See figure 2.

Regarding claim 52, Keeney inherently discloses the housing carries the visual output element, the capacitor, the control circuit and the current limiting circuit. See figures 1-7.

Regarding claim 53, Keeney discloses the housing carries a manually manipulatable control member to select an illumination parameter. See figures 1-7.

Regarding 54, Keeney discloses where the control member comprises one of linearly movable. See figures 1-7.

Regarding claim 55, Keeney discloses the control member comprises a switch. See figure 2.

Regarding claim 56-27, Keeney discloses the control element in each of devices limits a peak current draw. See figures 1-7.

***Allowable Subject Matter***

3. Claims 37-39 and 58-60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-14 are allowed.

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The following is a statement of reasons for the indication of allowable subject matter:

Prior art does not teach that, a current sensor coupled to a comparator, the comparator establishing at least one peak current value recited in dependent claim 37.

Prior art does not teach that, each of the output devices exhibits an initial peak current draw when the source switches to an energy supplying state followed by a plurality of spaced apart, repetitive lesser peak current draws, at least the lesser peak current draws are in accordance with a current peak limiting setting of the control element and a different illumination parameter setting which determines an optical output value, from a group thereof recited in dependent claim 58.

Prior art does not teach that, energy input port; a current limiter coupled to the input port, a strobe circuit coupled to the current limiter with the current limiter responsive to a strobe circuit flash condition to reduce a post-flash peak current draw of the strobe circuit below a corresponding peak current value of the strobe circuit in the absence of the current limiter combination with all limitations recited in independent claims 1, 2, 10 and 11.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Has et al (US 6,242,872) and Ha et al. (US 6,049,446) are cited to show alarm system.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

*Shih-Chao Chen* 11/14/05  
SHIH-CHAO CHEN  
PRIMARY EXAMINER

Examiner

Minh A

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11/11/05